



09/366/114

JPW

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

ISAM THE CONTINUATION APPLICATION OF:

Stuart

Grp. Art. Unit: 2645

Application No:

Examiner: S.P. Sing

Filing Date: January 7, 2005

Date: March 7, 2005

SYSTEM AND METHOD FOR PROVIDING
A SERVICE TO A CUSTOMER VIA A
COMMUNICATION LINK

Atty. Dkt. No: STUART-ISAM.1

SUBMISSION OF EVIDENCE SHOWING EARLY CONCEPTION AND DUE DILIGENCE

Consideration of the present application and the attached Declarations is respectfully requested.

The attached Declaration entitled DECLARATION OF INVENTORS UNDER 37 CFR §1.131 was submitted in the parent application, but was found wanting in demonstrating conception of the claimed invention before the critical date of the Gisby reference. On the other hand, the Patent and Trademark Office has already made a finding of record in the parent application that due diligence was shown by the inventors. In addition to submitting a copy of the earlier submitted Declaration under 37 CFR §1.131 along with its many exhibits, Applicants have attached hereto the Declarations of Don Hornback and Charles Holder supporting Applicants' assertion that the invention was conceived before the critical date of the Gisby reference. In addition, an Affidavit of inventor Robert O. Stuart entitled Authenticating Declaration of Inventor under 37 CFR §1.132 demonstrates that Mssrs. Hornback and Holder have, and had, more than ample skill in the relevant art to make the averments contained in their respective Declarations. With these submittals, Applicants respectfully assert that there should be no dispute that the claimed invention was conceived before the critical date of the Gisby reference, and that due diligence was exercised thereafter until the original parent application was filed. Thus, Applicants respectfully request that Gisby be withdrawn as a reference, and that any rejections based upon the same be withdrawn or not made again.

This application is believed to be in condition for allowance of claims 1-15. However, if the Examiner believes that some minor additional clarification would put this application in even better condition for allowance, Applicants respectfully request that the Examiner contact the undersigned attorney at (812) 333-5355 in order to hasten the prosecution of the present application.

Respectfully Submitted,

Michael B. McNeil

Reg. No. 35,949

BEST AVAILABLE COPY

I certify that this paper or fee was mailed with sufficient postage via first class mail on the 7th day of March, 2005 to the Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450; Name Printed : Carrie Stremming; Signature



IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

IN RE THE APPLICATION OF:

Stuart et al.

Grp. Art. Unit: 2756

Application No: 09/366,114

Examiner:

Filing Date: August 2, 1999

Date: May 20, 2004

SYSTEM AND METHOD FOR
PROVIDING A SERVICE TO
A CUSTOMER VIA A
COMMUNICATION LINK

Atty. Dkt. No: Stuart-ISAM

DECLARATION OF INVENTORS UNDER 37 CFR §1.131

1. We are the co-inventors of the subject matter claimed in U.S. Patent application serial number 09/366,114, entitled System and Method for providing a service to a customer via a communication link.

2. The invention was conceived before February 17, 1998. This is evidenced by attached Exhibits A, B & C. Exhibit A is a document that was prepared before February 17, 1998 and contains an introduction to the subject matter of the claimed invention as well as a description of the invention, which at that time was referred to under the acronym ASAM (Automatic Service Attitude Measurement). Exhibit B is a system architecture diagram regarding the claimed invention that was prepared before February 17, 1998. This diagram shows the basic architecture for implementing the invention. Exhibit C, is a redacted presentation given by Robert Stuart to the president of Volt Delta Corp. in May of 1997. The purpose of this presentation was to seek a corporate partnership for reducing the invention to practice; it was not an offer for sale of the invention. The invention is referred to in the exhibits under its acronyms ASAM and ISAM, which stands for Individual Service Attitude Measurement.

3. From at least as early as May 1997 meeting with Volt Delta Corp., the inventors, who were doing business as USADA, Inc., sought a corporate partnership to enable the invention to be reduced to practice.

4. In a diligent effort to have the invention reduced to practiced. The inventors engaged in negotiations with Volt Delta Corp. regarding a possible business relationship to reduce the invention to practice from at least as early as the May 1997 meeting until negotiations broke down in February of 1999. These continuous and regular efforts are evidenced by correspondence between Robert Stuart and Volt Delta (Exhibits D and E), letters between Volt Delta and the inventors' attorneys, Lewis and Kappas, as shown in Exhibits F, G, H, J and K; and meeting agenda between inventors in Volt Delta in April 1998, Exhibit I.

5. After attempts to form a business relationship with Volt Delta Corp. to reduce the invention to practice finally failed in February 1999, the inventors diligently turned to constructively reducing the invention to practice. This is evidenced by an initial rough draft business plan dated February 12, 1999 in which USADA Inc. indicates its first strategic step is to obtain patent protection for the present invention. See Exhibit L.

6. In March of 1999, that business plan was formalized as shown in Exhibit M.

7. At about the same time, co-inventor Scott Stuart began preparing a pro-se patent application for the subject invention. A draft of that invention description was delivered via e-mail to co-inventor Robert Stuart on Monday, April 5, 1999 as shown in Exhibit N.

8. Shortly thereafter, patent attorney Michael McNeil was hired to assist editing the draft application prepared by Scott Stuart into better form for filing, including preparation of claims in a proper form. This is evidenced by the e-mails identified as Exhibits O and P.

9. After several rounds of editing, the application was sent out to the co-inventors for signature on July 8, 1999 as evidenced by Exhibits Q and R.

10. After receiving the executed signature papers, McNeil filed the patent application via Express Mail in the United States Patent and Trademark Office on August 2, 1999.

11. From a date previous to February 17, 1998, the inventors never abandoned, postponed or otherwise delayed efforts to reduce the invention to practice until the application was filed in August of 1999.

12. The attached Exhibit S entitled ISAM documentation - Due Diligence is a Table listing activities performed by the inventors and/or agents of the inventors in an effort to diligently pursue an actual reduction to practice of the invention.

13. The activities listed in the Table are sub-divided into different categories with the items marked "technical design" being directly related to an actual reduction to practice. All other categories, including strategic planning, market research, legal and meetings all supported the technical design effort and were done to overcome the other obstacles associated with achieving an actual reduction to practice.


14. Supporting documentation for several of the identified activities are also attached as per the designations in the table.

15. We hereby declare that all statements made herein of our own knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements are made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment or both, under §1001 of Title 18 of the United States Code and that such willful false statements may jeopardize the validity of the application or any patent issued thereon.

 5-28-04

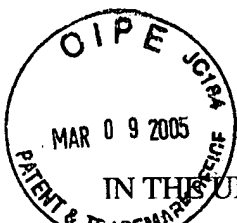
Robert O. Stuart

Date

 5-25-04

Scott Stuart

Date



IN THE UNITED STATES PATENT AND TRADEMARK OFFICE
IN RE THE CONTINUATION APPLICATION OF:

Stuart

Grp. Art. Unit: 2645

Application No:

Examiner: S.P. Sing

Filing Date: January 7, 2005

Date: January 13, 2005

SYSTEM AND METHOD FOR PROVIDING
A SERVICE TO A CUSTOMER VIA A
COMMUNICATION LINK

Atty. Dkt. No: STUART-ISAM.1

DECLARATION UNDER 37 CFR 1.132

1. I, D. L. HORNBACK am a United States Citizen residing at 8928 Fathom Crest, Indianapolis, IN 46256.
2. I have reviewed and understand the claims listed in the attached appendix and currently pending in the above identified patent application.
3. The subject matter defined by claims 1-15, was confidentially disclosed to me by Robert O. Stuart before February 17, 1998.
4. The confidential disclosure of the invention defined by claims 1-15 was sufficiently clear that one with ordinary skill in the art to which the technology relates would have been able to reduce it to practice without the exercise of extensive experimentation or the exercise of inventive skill.
5. I hereby declare that all statements made herein of my own knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements are made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment or both, under §1001 of Title 18 of the United States Code and that such willful false statements may jeopardize the validity of the application or any patent issued thereon.

D. L. Hornback 2/7/2005
Signature Date

D. L. HORNBACK
Printed Name

APPENDIX
DECLARATION UNDER 37 CFR 1.132

1. A method of obtaining customer feedback comprising the steps of:
establishing a communication link at least partially via a telecommunications server
with at least one of a plurality of live agents of a service provider that originates from a customer;
providing a service at least in part by the live agent to the customer at least in part
via said communication link;
requesting the customer to provide feedback data before said communication link is
terminated;
if the customer provides feedback data, then associating said feedback data with
telecommunications server data that includes an identity of the live agent.
2. The method of claim 1 further comprising a step of storing said
telecommunications server data in association with said feedback data.
3. The method of claim 2 wherein said establishing step and said providing
step are performed with a plurality of different customers; and
said requesting step is performed on an intermittent basis.
4. The method of claim 3 wherein said providing step includes a step of
providing said customer with information relating to a third party identified by the customer.
5. The method of claim 4 wherein said providing step includes an exchange of
information between said customer and said live agent of said service provider.
6. The method of claim 5 further comprising the steps of:
analyzing a plurality of stored telecommunications server data and feedback data
according to a specified criteria; and
reporting a result of said analyzing step.
7. The method of claim 1 further comprising a step of
recognizing feedback data originating in at least one of a keyed format and a voice format.
8. A system for obtaining customer feedback comprising:

a communication link between a customer and at least one of a plurality of live agents of a service provider that originates from said customer and includes a telecommunications server;

a service provided to said customer at least in part by the live agent at least in part via said communication link;

a request to said customer to provide feedback data before said communication link is terminated; and

an association of provided feedback data with telecommunications server data that includes an identity of the live agent.

9. The system of claim 8 further comprising a data storage device operably coupled to said communication link.

10. The system of claim 9 wherein said data storage device includes means for storing said telecommunications server data in association with said provided feedback data.

11. The system of claim 10 wherein said service provider provides services to a plurality of different customers; and
said request is made on an intermittent sampling basis.

12. The system of claim 11 wherein said service includes a provision of information to said customer relating to a third party identified by the customer.

13. The system of claim 12 wherein said service includes an exchange of information between said customer and said live agent of said service provider.

14. The system of claim 13 further comprising an analysis of a plurality of stored telecommunications server data and feedback data according to a specified criteria; and
a report that includes a result of said analysis.

15. The system of claim 8 further comprising a data recognition device operably coupled to said communication link, and being capable of recognizing feedback data originating in at least one of a keyed format and a voice format.



THE UNITED STATES PATENT AND TRADEMARK OFFICE
IN RE THE CONTINUATION APPLICATION OF:

Stuart

Grp. Art. Unit: 2645

Application No:

Examiner: S.P. Sing

Filing Date: January 7, 2005

Date: January 13, 2005

SYSTEM AND METHOD FOR PROVIDING
A SERVICE TO A CUSTOMER VIA A
COMMUNICATION LINK

Atty. Dkt. No: STUART-ISAM.1

DECLARATION UNDER 37 CFR 1.132

1. I, CHARLES E. HOLOSA am a United States Citizen residing at
9102 GRINNELL ST INDIANAPOLIS, IN 46268.
2. I have reviewed and understand the claims listed in the attached appendix and currently pending in the above identified patent application.
3. The subject matter defined by claims 1-15, was confidentially disclosed to me by Robert O. Stuart before February 17, 1998.
4. The confidential disclosure of the invention defined by claims 1-15 was sufficiently clear that one with ordinary skill in the art to which the technology relates would have been able to reduce it to practice without the exercise of extensive experimentation or the exercise of inventive skill.
5. I hereby declare that all statements made herein of my own knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements are made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment or both, under §1001 of Title 18 of the United States Code and that such willful false statements may jeopardize the validity of the application or any patent issued thereon.

Z/H 02/11/2005
Signature Date

CHARLES E. HOLOSA
Printed Name

APPENDIX
DECLARATION UNDER 37 CFR 1.132

1. A method of obtaining customer feedback comprising the steps of:
establishing a communication link at least partially via a telecommunications server with at least one of a plurality of live agents of a service provider that originates from a customer;
providing a service at least in part by the live agent to the customer at least in part via said communication link;
requesting the customer to provide feedback data before said communication link is terminated;
if the customer provides feedback data, then associating said feedback data with telecommunications server data that includes an identity of the live agent.

2. The method of claim 1 further comprising a step of storing said telecommunications server data in association with said feedback data.

3. The method of claim 2 wherein said establishing step and said providing step are performed with a plurality of different customers; and
said requesting step is performed on an intermittent basis.

4. The method of claim 3 wherein said providing step includes a step of providing said customer with information relating to a third party identified by the customer.

5. The method of claim 4 wherein said providing step includes an exchange of information between said customer and said live agent of said service provider.

6. The method of claim 5 further comprising the steps of:
analyzing a plurality of stored telecommunications server data and feedback data according to a specified criteria; and
reporting a result of said analyzing step.

7. The method of claim 1 further comprising a step of recognizing feedback data originating in at least one of a keyed format and a voice format.

8. A system for obtaining customer feedback comprising:

a communication link between a customer and at least one of a plurality of live agents of a service provider that originates from said customer and includes a telecommunications server;

a service provided to said customer at least in part by the live agent at least in part via said communication link;

a request to said customer to provide feedback data before said communication link is terminated; and

an association of provided feedback data with telecommunications server data that includes an identity of the live agent.

9. The system of claim 8 further comprising a data storage device operably coupled to said communication link.

10. The system of claim 9 wherein said data storage device includes means for storing said telecommunications server data in association with said provided feedback data.

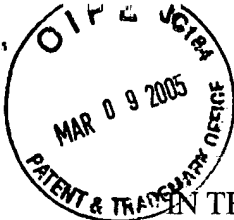
11. The system of claim 10 wherein said service provider provides services to a plurality of different customers; and
said request is made on an intermittent sampling basis.

12. The system of claim 11 wherein said service includes a provision of information to said customer relating to a third party identified by the customer.

13. The system of claim 12 wherein said service includes an exchange of information between said customer and said live agent of said service provider.

14. The system of claim 13 further comprising an analysis of a plurality of stored telecommunications server data and feedback data according to a specified criteria; and
a report that includes a result of said analysis.

15. The system of claim 8 further comprising a data recognition device operably coupled to said communication link, and being capable of recognizing feedback data originating in at least one of a keyed format and a voice format.



IN THE UNITED STATES PATENT AND TRADEMARK OFFICE
IN RE THE CONTINUATION APPLICATION OF:

Stuart

Grp. Art. Unit: 2645

Application No:

Examiner: S.P. Sing

Filing Date: January 7, 2005

Date: February 18, 2005

SYSTEM AND METHOD FOR PROVIDING
A SERVICE TO A CUSTOMER VIA A
COMMUNICATION LINK

Atty. Dkt. No: STUART-ISAM.1

AUTHENTICATING DECLARATION OF INVENTOR UNDER 37 CFR §1.132

1. I, Robert O. Stuart, am a co-inventor of the subject matter claimed in the above captioned patent application.
2. Attached hereto are a biography of Donald Hornback and a resume for Charles Holder which demonstrate that both have at least ordinary skill in the art with regard to the subject matter of the above captioned pending patent application.
3. The biography and resume demonstrate that both individuals are more than qualified to make the statements in their respective side declarations verifying that the subject matter defined by the currently pending claims 1-15, was confidentially disclosed to them before February 17, 1998.
4. I hereby declare that all statements made herein of my own knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements are made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment or both, under §1001 of Title 18 of the United States Code and that such willful false statements may jeopardize the validity of the application or any patent issued thereon.

Robert O. Stuart 3-02-05
Signature Date

Robert O. STUART
Printed Name

HORNBACK, DONALD LEE

Business Data: Don Hornback is the Advanced Projects Business Planning Manager for emerging technologies in Research and Innovation at Thomson, Inc. His responsibilities involve commercializing advanced technologies from Research and Innovation across internal business units or with external partners and seeking external funding to help offset Thomson's research costs. Don served in the role as Executive Vice President of Homefront DSL, Inc., a wholly owned subsidiary of Thomson developed as a facility-based CLEC. He worked with New Media Services in MBA targeted assessment, and developed a generally rounded knowledge of mobile, business, and residential wired and wireless broadband platforms and services in security, video, audio, voice, and data.

Prior to joining Thomson, Don was President/CEO and consultant of Pathway Technologies Inc., a technology consulting firm providing technology solutions to companies that included design, development, implementation, testing, acceptance, and continued support of technology platforms. Pathway was established in Indianapolis, Indiana in 1987. Pathway's practitioners specialized in information systems, computer networking, and communications technologies. Don's background in research and development organizations led him to become a consultant who pushed the technology envelope to provide business use solutions. His depth of professional experience in regional and international assignments in a variety of environments, such as industrial, manufacturing, educational, institutional, government, commerce, and construction; and his innovation "outside the box" fit the needs of his clients with particular emphasis on practical solutions, cost effectiveness, and profitable results.

- He developed twelve consumer products for HealthZenith Company and was awarded two U.S. patents for circuits used in a digital TV system.
- He assembled an R&D organization that developed twenty-nine new electronic products including an HDLC (High-Level DataLink Control) set-top modem network for British Telecom over a three-year period with Texas Instruments, a company in broadband communications.
- Later, at Delco Electronics Corporation (DELCO-Hughes), Don managed a group involved in the R&D of an integrated pressure sensor, integrating bipolar process and machine microstructure technologies. While working with Delco, he recommended a silicon process to slow Boron autodoping during the process steps of producing a monolithic sensor. This process received two U.S. Patents.
- While at AT&T Bell Laboratories, Don received a patent for the development of remote access, monitoring and control of security systems.
- Don assisted startup ISPs with their access strategies and systems requirements. Don's clients included Whitpool where he and his group developed the Whitpool Management Development Network (WMDN) that was placed online in 34 different countries.
- He worked with Indiana University where he and his practitioners developed two online MBA courses. Don developed proposals to distribute IT's knowledge base to three southeastern Asian countries (Thailand, Malaysia, and Vietnam). He worked with Ball State University and Sinclair Community College in their efforts in academic technology.
- Don worked with the twelve Federal banks to channel their public Web servers, and worked with the Federal Home Loan Bank of Dallas where he led the project realization process and change management control of a group of partnering companies that included Sun Microsystems, National Semiconductor, the officers of the bank, and Trident Data Systems.
- He developed a team communications management system for AT&T employing queuing theory and operator statistical performance control for which he received a U.S. patent.

Don currently holds six U.S. patents. His knowledge of the Internet as a means of video, audio, voice and data access and communications provides a strategic advantage to Thomson, as well as to its customers, vendors, alliance partners, resources, advisors, and shareholders. He is currently developing business models and strategic directions to leverage Thomson's technology platforms and services as ongoing technology products and services become imperative to Thomson's growth.

Associations and Civic Background: Don was recently Vice President of Information Technology and member of the Board of Directors of APICS (The Educational Society for Resource Management); he has served on the SVA and ANSI standards committees for advancing security and intelligent sub-system technologies. He currently sits as a director on the Board of CAE-net and on the Global University Advisory Board.

Educational History: Don received his BSEE from Purdue University and received an MBA from Indiana University where his major was Organizational Design, Organizational Development, and Management of Organizational Change.



Charles E. Holder

9501 North Pennsylvania Street
Indianapolis, Indiana 46240
317-848-0116 Home
317-491-3329 Cellular
E-Mail: Charles.holder@thomson.net

Professional History

1986 to Present **Thomson Multimedia (formerly RCA/GE)**

Positions Held

2004 to Present (2 Positions)

Americas Infrastructure Manager Reporting to Americas Infrastructure Director

Responsibilities: Americas Disaster Recover, Task Force team member for Joint Venture with TCL Electronics, Global IT Measurements/bench marking and special projects.

Information Technology Account Manager, Consumer Products Americas Strategic Business Units

Responsibilities: Liaison between TTE, BAPs, Atlinks and CP M&S Senior Business Managers and the Information Systems Organization. Includes managing Americas budget, setting strategic priorities, reviewing projects and developing 5-year road maps.

2003 to 2004

Project Manager, Corporate Telecommunications (Temporary Assignment)

Responsibilities: Managing outsourcing of 185 Thomson global locations to France Telecom. Former project manager being called up to active military duty in Iraq necessitated this 6 to 9 month temporary assignment. Project includes conducting inventories; determine net book value of assets, overseeing transitional billing, transfer of responsibilities and developing benchmark measurements. This assignment was located in Southern California

2000 to 2003

Information Technology Account Manager, Consumer Products Americas Strategic Business Units

Responsibilities: Liaison between Senior Business Managers and the Information Systems Organization. Includes managing \$80M Americas budget, setting strategic priorities, reviewing projects and developing 5-year road maps.

1998 to 2000

Manager, EDI (Electronic Data Interface) and VMI (Vendor Managed Interface)

Responsibilities:

- Managed Thomson's Americas EDI Operations
- Negotiated the contract and managed the Technical Out-sourcing of Thomson's EDI translators and Value Added Network. This included the conversion and migration of 400+ existing Trading Partners.

- Developed, plan and initiated an aggressive program to trade electronically with 120 key. Asian and Pacific Rim Suppliers.
- Developed and Managed a VMI Initiative for 3 major Customers.
- Task Force Member tasked with developing a Corporate Road Map for EDI and Electronic Commerce World Wide.
- Reduced backlog of 100 requests to service and created a service level of 30 days to respond to new requests.
- Managed the development of an Extranet Site that creates 26-week forecasts for Thomson's 56 largest customers (\$4.2B annual revenue). *Received prestigious North America Award from GE for creating this tool (See Professional Awards).*

1997 to 1998

Project Manager, Infrastructure Supply Chain Management

Responsibilities:

- 12-month assignment to Design, plan and Implement a Supply Chain Management Practice.
- Part of Project team that selected I2 Technologies Demand Planner, Supply Chain Planner, Advanced Allocation to Promise and Factory Planner Modules.
- Managed the creation of an architecture strategy that utilized IBM RS6000.

1995 to 1997

Project Manager, Telecommunications Special Strategic Projects

Responsibilities:

- Planned, managed and relocated Worlds largest Television plant from Bloomington, Indiana to Juarez, Mexico. This included the layout and design of all IT and Security facilities in the 700,000 square foot location.
- Planned, managed and developed a Mexico Support Center. This site provides Financial, Quality, Design, Plant Engineering, Administrative functions and IT support to 7 Mexico plants.
- Planned, managed and relocated Thomson's Product Rebuild Plant.
- Planned, Designed and Consolidated 3 Warehouse into a 1M Square foot Campus in El Paso, Texas.
- Built trans-border high-speed data, voice and video network utilizing Harris Micro-waves, 3Com backbone and Northern Telecom Pbx's.

1990 to 1995

Project Manager, Voice Communication Americas

Responsibilities:

- Voice Communications for 26 manufacturing plants, 21 sales offices, 7 warehouses and North American Head Quarters. Facilities were located in Brazil, Argentina, Mexico, Canada and the United States.

Major Accomplishments:

- Developed Disaster Recovery Plan and Operational Procedures for North America Sales and Television Manufacturing Operations.
- Negotiated maintenance contracts with hardware vendors resulting in \$85k annual savings.
- Reduced staff by 33% to achieve operational and financial efficiencies.
- Developed RFP for Virtual Private Network. Then Project Manager for the Implementation of Voice, Data and Video network. Contract for 5 years valued at \$40M and resulted in 20 Annual savings.

- Managed relocation of Thomson Credit and Collection organization from Atlanta, Georgia to Indianapolis.
- Managed relocation of Thomson Customer Service and Direct Sales Organizations to Indianapolis.
- Developed RFP to build Call Center utilizing Lucent Technology.
- Upgraded PBX's at Deptford, NJ; Lenexa, KS; Toronto, Canada; Washington, DC; Torreon, Mexico; Vancouver, BC; Syracuse, NY, Ft. Lee, NJ; Atlanta Sales Office; Dallas, TX and San Francisco, CA.

1985 to 1990

Manager, Indiana Operations Network Services/GE Information Technology

Responsibilities:

- Managed 12 Direct Reports supporting RCA Consumer Electronics, RCA Records, RCA Picture Tube and RCA Global Communication Business with Voice, data and telephone operators.
- Member of GE Task Force to integrate telecommunications following GE acquisition of RCA.
- Member of Task Force recommending Voice Messaging for GE.
- Managed technological upgrade of 1200 data terminal, printers and peripheral devices at Corporate Office.

AT&T Communications

1984 to 1986

Staff Assistant, Indiana, Ohio and Michigan Operator Services

Responsibilities:

- Managing \$1.4 Telecommunications Budget for 15 facilities.
- Responsible for \$250k Annual Furniture Budget.
- Chairman of Great Lakes Region Task Force aimed at reducing Operating Expenses.
- Coordinated the closing of Gary, Indiana; Bedford, Indiana and Columbus, Ohio facilities.
- Coordinated the expansion of Indianapolis, Indiana; Bloomington, Indiana and Cleveland, Ohio Operator Services locations.
- Temporary assignment interfacing Regional Bell Companies to adjust transfer of assets as a result of Divestiture.

Prior Work History Available Upon Request

Education:

Indiana University Associates of Arts 1989 GPA 3.15

Indiana University Bachelor of Arts 1994 GPA 3.14

Professional Awards:

- 1999 GE Information Services Excellence Award for North America, the award was given for the design and implementation of an innovative Supply Chain Management Extranet Forecasting Site.
- 1990 Nominee for Telecommunications Professional of the Year, Indiana Telecommunications Users Association.

Outside Activities:

- Former Elected Member of Beech Grove, Indiana City Council
- Former Member of Marion County (Indianapolis) Election Board (2 terms)
- Former Member Marion County (Indianapolis) Zoning Appeals Board

ASAM

Today

Until the mid 70's, the Bell System relied primarily on internal measurements derived from service observing to determine the accuracy and courtesy of toll and directory assistance operators, business office service representatives, network repair clerks, etc. The system utilized random monitoring of customer contacts by special operators from remote locations. Approximately 300 customer contacts per month were observed for each unit or office. Errors or irregularities observed were calculated as service indices and summarized from office to Bell System levels.

The system was a relative success in measuring technical aspects of the various jobs but was unable to measure the quality aspects of service from the customers perspective. Also increasing employee concerns of "monitoring" led to both union and legislative pressure to restrict or prohibit service observing.

Telephone Service Attitude Measurement (TELSAM) based on telephone interviews with customers was introduced to supplement internal measurements. Outside market research firms conducted the calls and summarized customer opinion as to percent satisfied, excellent and poor.

TELSAM provided some needed input from the customer to management but inherent problems prevented the system from being effective. For example, directory assistance and long distance operators work in large team configurations with three or more offices serving large NPA or state wide areas. Customer evaluations could be made for the complex but individual office or unit performance could not be determined. Results were never timely due to the lengthy process and the small sample size. In addition, the interview process was costly with each interview costing approximately \$4.

Bell System divestiture has caused significant problems. TELSAM results were always 'suspect' due to customer confusion between toll and directory assistance. This problem is compounded with BCC's and AT&T both now having competing operators.

TELSAM samples were derived from customers that had recently used the service being evaluated. The source was billing tapes but the only information was a telephone number. The problem is that many people may utilize the same telephone. Another major problem is that for toll operators, there is not a telephone number to call the customer. For example, calls originating from coin telephones or hotel/motel were never sampled by TELSAM. This traffic is over 50% of the total volume.

EXHIBIT

A

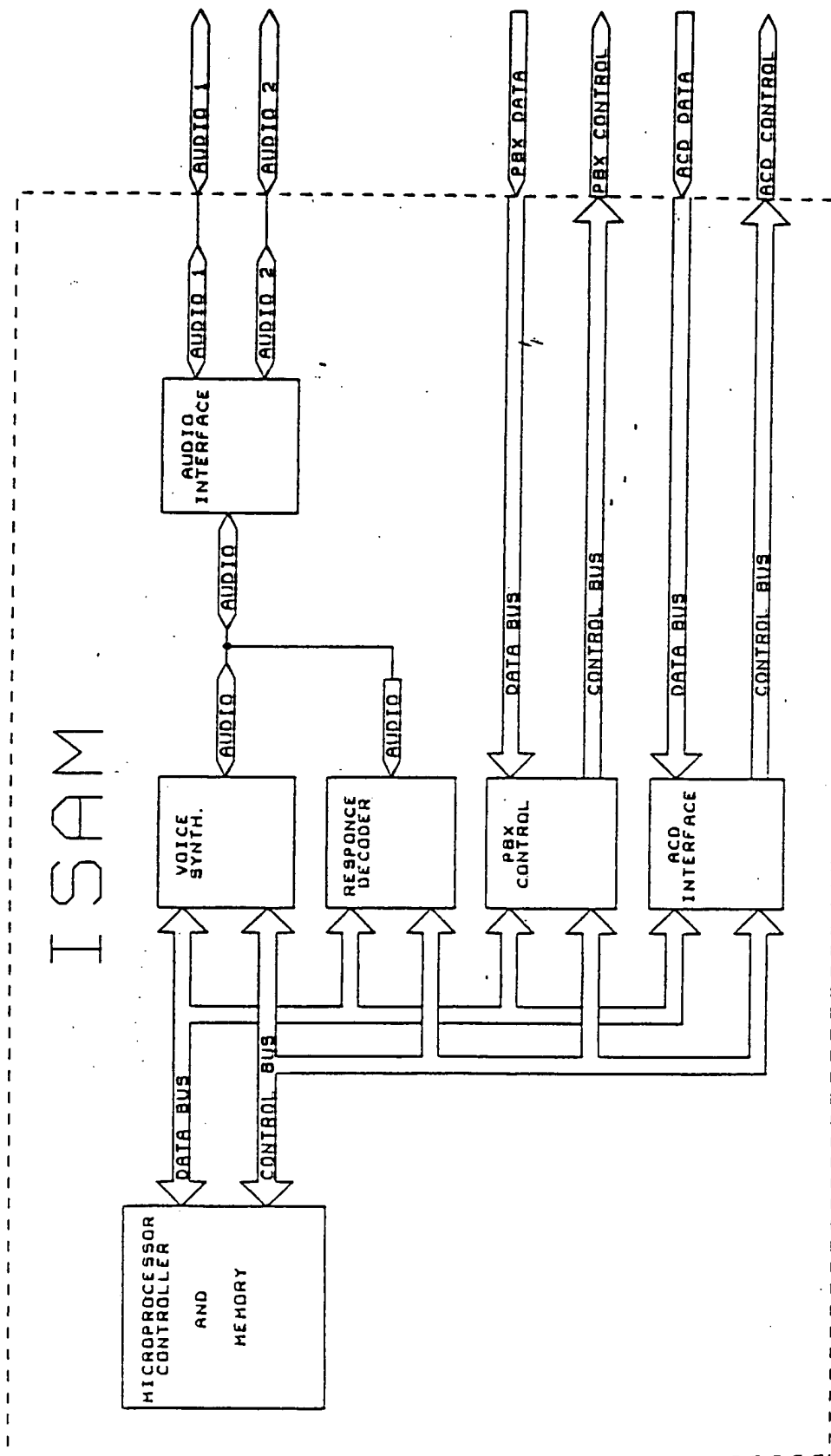
tabbles

Proposed

Automatic Service Attitude Measurement (ASAM) would utilize a digitized announcement and customer response/input system to measure customer opinion of operator courtesy, tone on service, accuracy and speed or promptness of service. The digitized announcement device coupled with a customer response recording system would be attached to directory assistance and toll operator access trunks. This connecting could be made at the distributing frames, the automatic call distributing (ACD) switch or the audio response unit (ARU) circuits.

The ASAM equipment would be programed to sample every Nth call. The unit could request a customer response for a single question or multiple questions. An ASAM feature would include a provision for customer comments for later management review. ASAM would summarize customer evaluations by numerically keyed responses or by speech recognition. A screening circuit could allow samples of specific services such as international calls. A clock/calendar circuit would also permit service evaluations by business/evening classifications. Identification of incoming AT&T, MCI, or Sprint trunks would permit evaluation of service by carrier. A variable Nth sample size would make it possible to derive daily statistically valid service evaluations if desired. The ASAM real time on-line system would assure that the evaluation was in fact from a customer utilizing the service from that particular unit or office. The potential exists to measure the customers evaluation of an individual operator by utilizing a position or operator identification circuit.

ISAM



Title		ISAM BLOCK DIAGRAM	
Size	Document Number	REV	
A	0011C0001	A	
Date	Sheet 1 of 5		

[REDACTED]

3. ISAM (Individual Service Attitude Measurement)

The final basic component in the USADA system is ISAM. The first two legs of the system (CAPS and SDHFA) are designed to improve system and individual worker productivity. These two components interact to re-inforce the productivity improvements that can be attained when

a firm purchases the USADA productivity system. However, CAPS and SDHFA are internally focused. While more effective labor utilization should lead to increased customer service and satisfaction, these benefits are implicit outcomes of the system. ISAM enables a firm to directly tie internal and external measurements within a single software and hardware framework. ISAM evaluates individual operator performance with service and satisfaction in a valid and reliable manner. Specifically, current measurement systems for customer satisfaction with call center operators suffer from low validity and reliability.

Current practices measure customer satisfaction by assessing global or overall satisfaction held by a customer with the entire service and the company in general. This lowers validity, since as we all know, customers build their views of a company's service as a result of their interaction with a particular operator for a specific type of call. Thus, a truly valid measuring system that examined customer service in a call center would link a customer, their operator and a specific transaction. Current systems cannot do this, but ISAM does. In addition, current systems suffer from reduced reliability since customers are asked to retrospectively evaluate the quality of service received during a call, often days, even weeks after their actual encounter with a call center.

ISAM assesses customer satisfaction on a real-time basis, therefore, it is not necessary to force customers to rely on their memory or to introduce into the measurement process many of the sources of error that can occur when customers are asked to assess distant, prior activities.

ISAM is a measurement software to assess customer satisfaction and service quality levels for call center attendants and for call centers. When ISAM is coupled with SDHFA, then a firm can automatically conduct assessments of service quality and customer satisfaction while SDHFA is adjusting internal service levels. Since each set of measures is produced in real time, managers can monitor and learn immediately from their staffing, scheduling and occupancy decisions using SDHFA while keeping an eye on customer evaluations of customer service and service quality. Quite simply, it allows call center managers to administer their

operations in a way that they always hoped that they could.

[REDACTED]

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[REDACTED]

[REDACTED]

JUN 02 '97 15:49 FR VOLTDelta

212 944 1639

212 944 1639 TO 913176335737

P.01/01



VOLTDelta
CONNECTING PEOPLE & INFORMATION

June 2, 1997

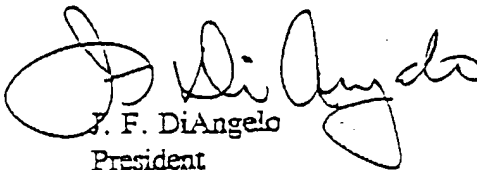
Mr. Robert O. Stuart
President
USADA, Inc.

VIA FAX: 317-633-5737

Dear Bob,

As a follow up to our recent meeting, [REDACTED]

Regards,

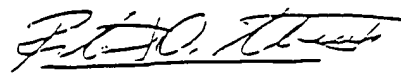

J. F. DiAngelo
President

IFD:bad
USADA.doc

Acknowledged by: USADA, Inc.

Name:

Title:


President
6-2-97

EXHIBIT

tabbles

D

July 17, 1997

Mr. Ralph Rothchild
Vot Delta Resources, Inc.
1221 Avenue of the Americas
New York, New York 10020

Dear Ralph,

I am writing in response to your conversation with Gary Price on July 3rd

[REDACTED] ISAM are products that can be sold as added features to telecommunication technology. As such, these products directly improve the performance of any telecommunication network. [REDACTED]

ISAM [REDACTED]

EXHIBIT

tabbles

E

ISAM [redacted] represents a performance system that ties individual operator performance to customer service. It is my experience that senior management in every industry is increasingly willing to invest in productivity tools that improve customer service and service quality. However, while management is willing to invest in better customer service tools, managers expect that such tools be customized and not "off the shelf" or cookie-cutter products. USADA has created a framework for tying individual operator performance to customer satisfaction and this framework can be adjusted to meet the needs of management in any industry. Thus, ISAM [redacted] are transferable to other industries. By linking network technology to individual performance, the Stuart system provides managers with a powerful performance tool that is far more valuable to a firm when evaluated as a integrated system rather than a group of isolated and independent tools.

[REDACTED]

I hope that this letter clarifies a few issues that are raised by your concerns. USADA still wishes to develop a partnership with VDR. It is my belief that the next step is to meet with your Board to discuss this opportunity. I suggest that a date be set soon. USADA is prepared to act quickly to develop what it believes are its competitive advantages in the call center business and our interest in a strategic alliance is set within the same time frame.

We will follow-up with a telephone call in the next few days to set a date for our meeting.

Sincerely,



Bob Stuart

LEWIS & KAPPES

PROFESSIONAL CORPORATION

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1700 ONE AMERICAN SQUARE

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STEVEN L. TUCHMANT

THOMAS R. RUGE

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BRETT J. MILLER*

TODD A. RICHARDSON**

BETTE J. DODD

PETER S. FRENCH

PAMELA H. SHERWOOD

BRIAN A. STATE

DONNA EIDER DUBISKY***

*Also admitted in Illinois

**Also admitted in Massachusetts

***Also admitted in Michigan & Kentucky

OF COUNSEL

SAMUEL A. FULLER

KEVIN W. DOGAN

LESLIE DUYALL

RICHARD P. BATESKY, Jr.

*Also admitted in Florida

TED. B. LEWIS

(1919-1991)

Certified Mediators

Web Site

[Http://www.Lewis-Kappes.com](http://www.Lewis-Kappes.com)

E-Mail Address

Office@Lewis-Kappes.com

GPPrice@Lewis-Kappes.com

August 22, 1997

Personal and Confidential

Ralph F. Rothschild

Vice President, Business Affairs

Volt Delta Corp.

1221 Avenue of the Americas

New York, New York 10020

Dear Ralph:

[REDACTED]

Sincerely,

LEWIS & KAPPES

Gary P. Price

GPP:aem

Enclosure

cc: Richard Magjuka (w/encs.)

Robert O. Stuart (w/encs.)

cc: aem@ppr.com

EXHIBIT

tabbles

F

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GP@Lewis-Kappes.com

September 5, 1997

PHILIP S. KAPPEST

DAVID WELDER GRAY

JOHN P. WICKEL JR.

JACK P. PRICEP

STEVEN L. TUCHMANT

THOMAS R. RUCR

C. DUANE O'NEAL

BRETT J. MILLER*

RICHARD T. TRITTIN**

TODD A. RICHARDSON**

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PETER S. FRENCH

PAMELA H. SHERWOOD

BRIAN A. STACE

DONNA REIDER DUBSKY**

*Also admitted in Illinois

**Also admitted in Ohio & Kentucky

**Also admitted in Massachusetts

**Also admitted in Michigan & Kentucky

Personal and Confidential

Ralph F. Rothschild
Vice President, Business Affairs
Volt Delta Corp.
1221 Avenue of the Americas
New York, New York 10020

Dear Ralph:

[REDACTED]

[REDACTED]

[REDACTED]

EXHIBIT

G

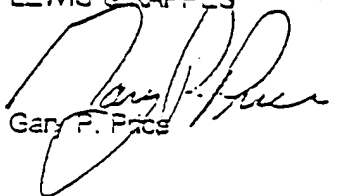
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Ralph F. Rothschild
September 5, 1997
Page 2

[REDACTED]

Sincerely,

LEWIS & KAPPES


Gary P. Fries

GPF:aem
Enclosure
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LEWIS & KAPPES

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JOHN F. WICKES, JR.

GARY P. PRICE†

STEVEN L. TUCHMANT

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LESLIE DUVAL

RICHARD P. BATESKY, Jr.

*Also admitted in Florida

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(1919-1991)

†Certified Mediators

Web Site

<http://www.Lewis-Kappes.com>

E-Mail Address

Offices@Lewis-Kappes.com

GPPrice@Lewis-Kappes.com

October 2, 1997

Via United Parcel Overnight Delivery

Ralph F. Rothschild
Vice President, Business Affairs
Volt Delta Corp.
1221 Avenue of the Americas
New York, New York 10020

Confidential/Dated Material

Confidential/Dated material

Dear Ralph:

Bob wants to partner with VDR.

EXHIBIT

tabbles

H

Ralph Rothschild
October 2, 1997
Page 2

[REDACTED]

[REDACTED]

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Ralph Rothschild
October 2, 1997
Page 3

[REDACTED]

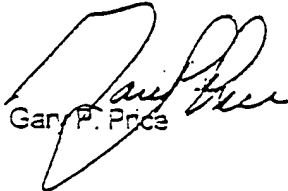
[REDACTED]

[REDACTED]

[REDACTED]

Sincerely,

LEWIS & KAPPES


Gary P. Price

GPP:aem
Enclosure
gpp:aem/stuart/rothschild



<http://www.pathway.com>

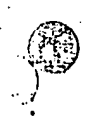
mailto:pathway@pathway.com

USADA/PATHWAY/VDR MEETING - 4/2/98 TO 4/3/98 RELATED TO VDR'S
DECISION SUPPORT SYSTEM (DSS) PROJECT:

[illegible]

EXHIBIT

I



[REDACTED]

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USADA/Pathway Offerings:

[REDACTED]

3. ISAM

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

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BRIAN A. STATZ
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MEGAN J. KIGHT
CHRISTOPHER C. EARLE
JENNIFER S. WHEELER
STEPHANIE J. SCHANKERMAN

OF COUNSEL
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GPInfo@Lewis-Kappes.com

February 1, 1999

*Also admitted in Illinois

**Also admitted in Massachusetts

---Also admitted in District of Columbia

PERSONAL AND CONFIDENTIAL
VIA UPS NEXT DAY AIR

Joseph F. DiAngelo
VOLIDELTA
1221 Avenue of the Americas
New York, New York 10020

Dear Joe:

[REDACTED]

EXHIBIT

J

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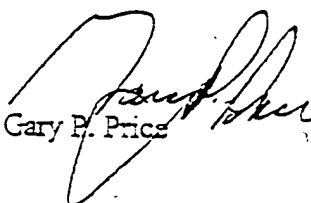
Joseph F. DiAngelo
February 1, 1999
Page 2

[REDACTED]

[REDACTED]

Sincerely,

LEWIS & KAPPES


Gary P. Price

GPP:mdl

cc: Robert O. Stuart
USADA, Inc.
P:\GPP\STUART\diangelo\tr.doc



VOLTDELTA
CONNECTING PEOPLE & INFORMATION

RECEIVED

FEB 10 1999

February 4, 1999

LEWIS & KAPPES, PC

Mr. Gary P. Price, Esq.
Lewis & Kappes
1700 One American Square
Box 82053
Indianapolis, Indiana 46282-0003

Dear Gary,

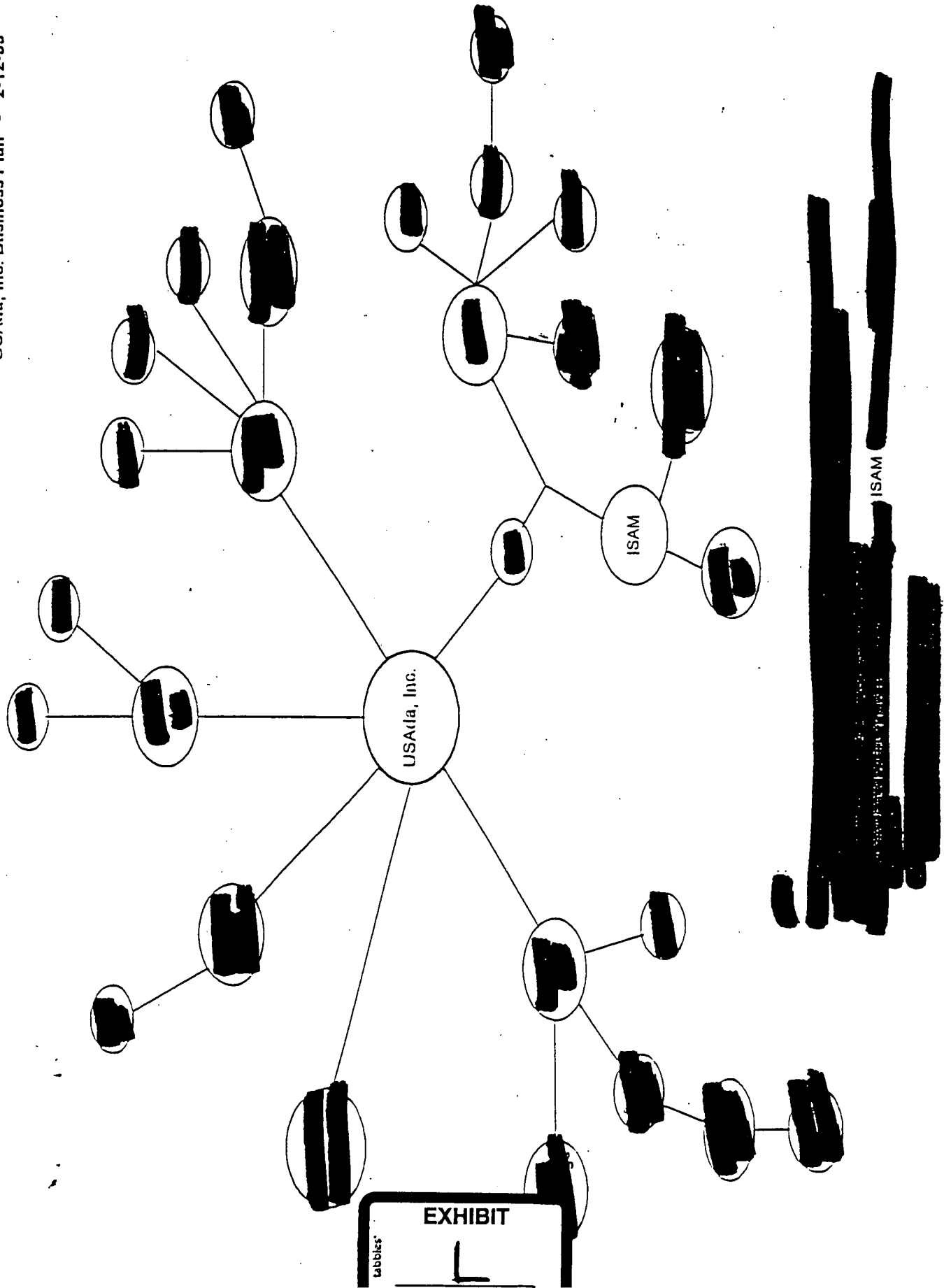
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Regards,

J. F. DiAngelo
President

JFD:bad
LewisKappes





USAda, Inc.

DRAFT

[REDACTED]

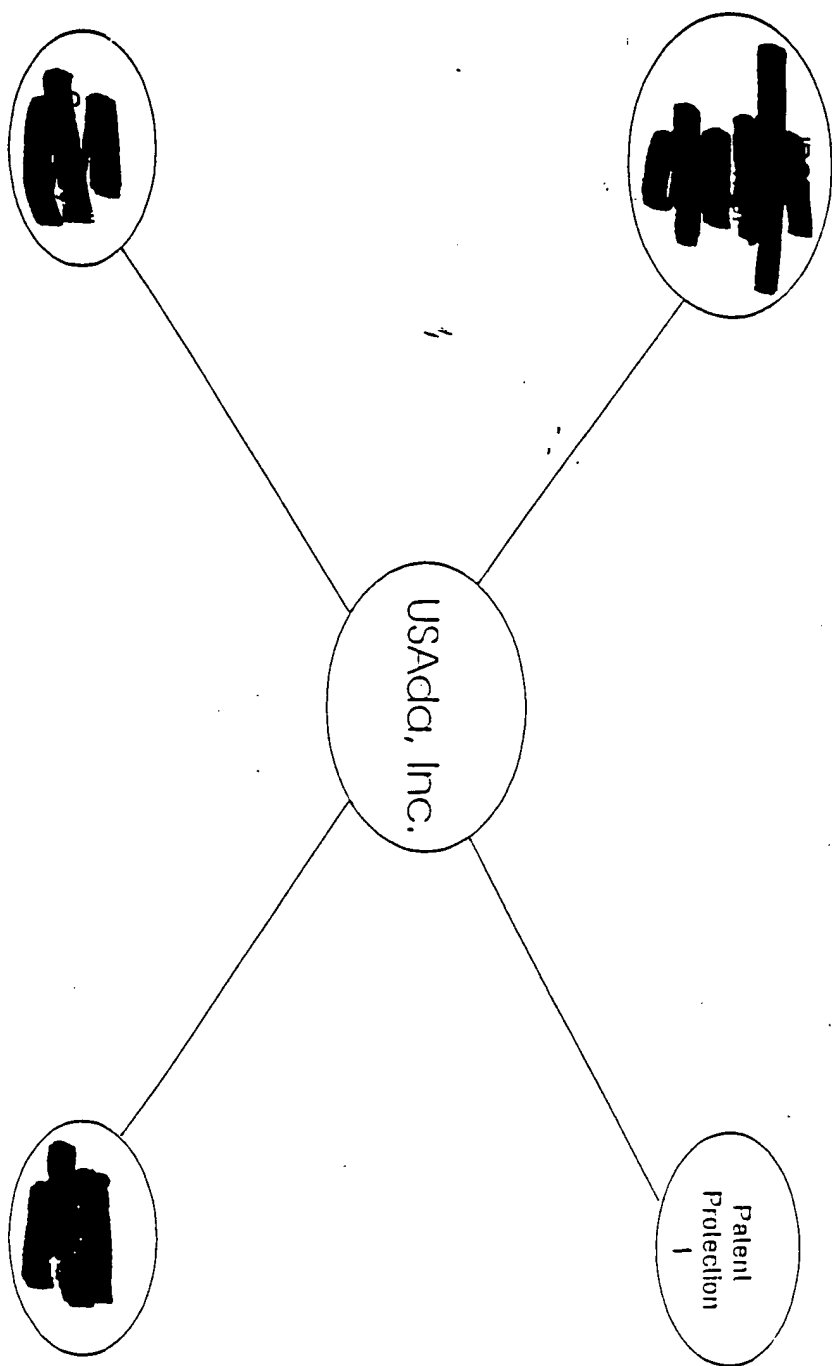
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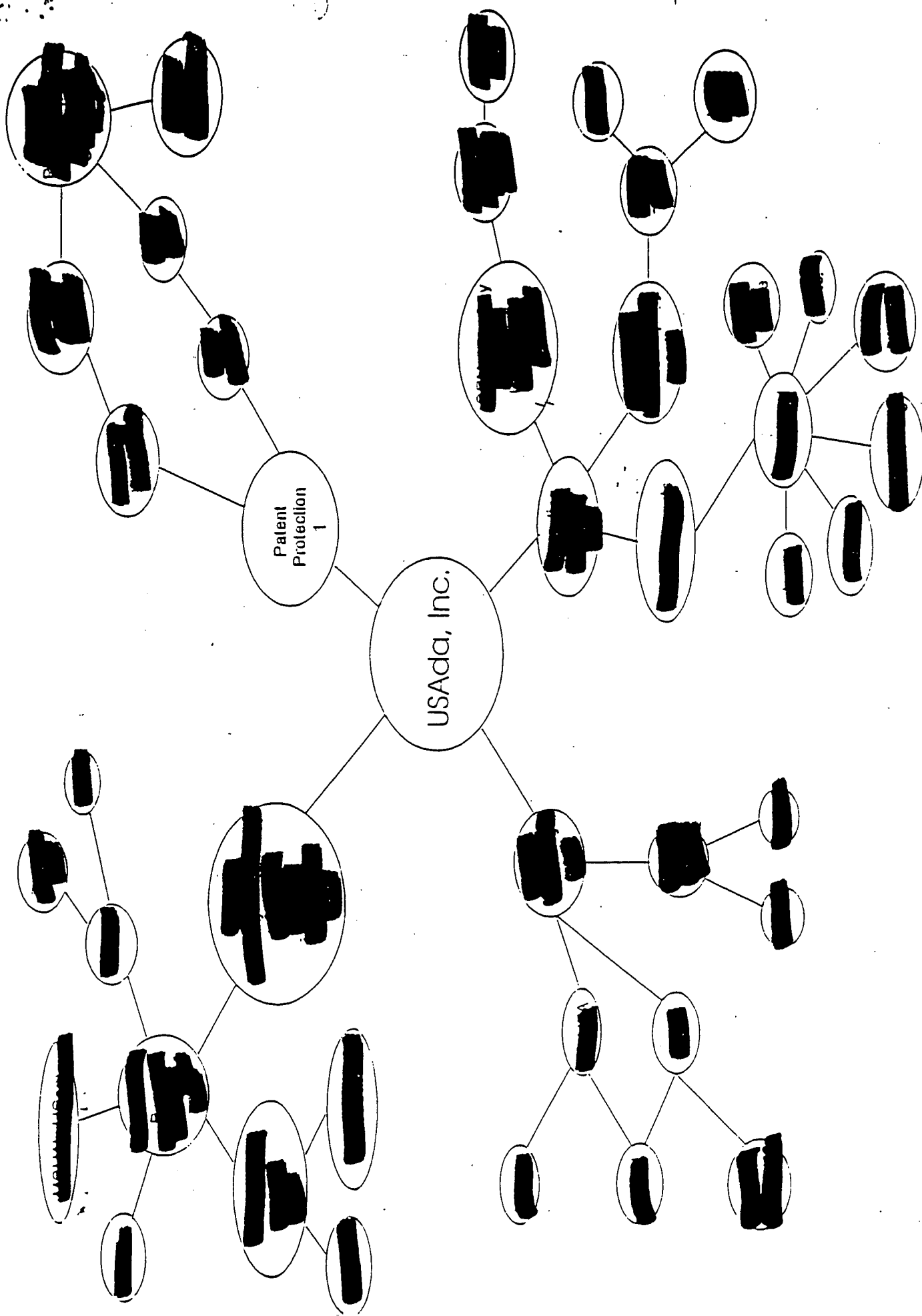
USAda, Inc.'s strategy is to become a leader for the Large Team Call Center market.
The strategic steps are as follows:

1) Obtain ^{Patent} license protection for [REDACTED], ISAM, [REDACTED]

2) [REDACTED]
[REDACTED] ISAM [REDACTED]

[REDACTED]





USADA, INC.

BUSINESS PLAN

March 1999

Robert O. Stuart
President

SECRET

USAd2, Inc. PROPRIETARY

[illegible]

From: BHPaint@aol.com <BHPaint@aol.com>
To: annettem@iquest.net <annettem@iquest.net>
Date: Monday, April 05, 1999 11:32 AM
Subject: ISAM draft

Hey guys

Here it is. The claims are not fully drafted in this version. I need to wait to see if any major changes occur in the text of the document.

Have fun!!!

Scott

EXHIBIT

N

Annette Miller

From: <BHPaint@aol.com>
To: <rstuart@usada.net>
Cc: <amiller@usada.net>
Sent: Tuesday, June 08, 1999 9:35 AM
Attach: isamc11.doc
Subject: ISAM update

I forgot to send this to you yesterday. This is a note concerning the ISAM claims that I drafted for Mike. Thought you might like to keep up to date on things. We are almost finished with this one....thank God. [REDACTED]
[REDACTED]

Scott

EXHIBIT

tabbles

Annette Miller

From: Michael McNeil <mmcneil@iquest.net>
To: <8HPaint@aol.com>
Sent: Thursday, June 10, 1999 1:18 PM
Attach: isam3.txt
Subject: ISAM revision

Scott,

Attached is another revision to the ISAM patent application. ■

[REDACTED]

Please call to discuss after you review the revision and my comments.

Thanks

Mike

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P

LIELL, McNEIL & HARPER

An Association of Attorneys at Law

Katharine C. Liell
Michael B. McNeil*
Teresa D. Harper

511 South Madison Street

Post Office Box 2417

Bloomington, Indiana 47402-2417
8 JULY 1999

(812) 333-5355
fax (812) 333-5175

Registered Patent Attorney

Mr. Scott P. Stuart
771 Catherine St. SW
Atlanta, GA 30310

COPY

Re: ISAM Signature Papers

Dear Scott:

With regard to ISAM, enclosed are an Inventorship Declaration and a Small Entity Declaration. Please review these documents carefully, but do not sign until after the application has been edited to its final form for filing. If the documents appear to be in order and the application is ready for filing, please sign, date and return the Declarations to me at your earliest convenience. An identical set of these documents was forwarded to your father under separate cover. After the signature papers from both you and your father are received, we will Express Mail the patent application to the Patent and Trademark Office.

EXHIBIT

3444

Stuart ✓
7/8/99
Page 2

[REDACTED]

[REDACTED]

Very Truly Yours,

[Signature]

Michael B. McNeil

MBM:dlo

Enclosures

LIELL, McNEIL & HARPER

An Association of Attorneys at Law

511 South Madison Street

Post Office Box 2417

Bloomington, Indiana 47402-2417

Katharine C. Liell
Michael B. McNeil*
Teresa D. Harper

*Registered Patent Attorneys

(812) 333-5355
fax (812) 333-3175

8 July 1999

COPY

Mr. Robert O. Stuart
5951 Camelback Court
Indianapolis, IN 46250

Re: Patent Application Signature Papers
Invention: ISAM

Dear Bob:

Enclosed are an Inventor Declaration and a Small Entity Declaration for use with regard the new patent application on your and Scott's ISAM invention. Please read over these documents carefully, but do not sign until after you have reviewed and approved the ISAM application for filing. If the documents otherwise appear to be in order, please sign and return them to me at your earliest convenience. Upon receipt, from you and Scott, we will Express Mail the ISAM Patent Application to the Patent and Trademark Office.

It is my understanding that Scott will be forwarding to you the final draft of the ISAM Patent Application for your review. In the meantime, please do not hesitate to call if you have any questions or comments.

[REDACTED]

Very Truly Yours,

MBM

Michael B. McNeil

EXHIBIT

R

MBM:dlo

ISAM DOCUMENTATION - DUE DILIGENCE

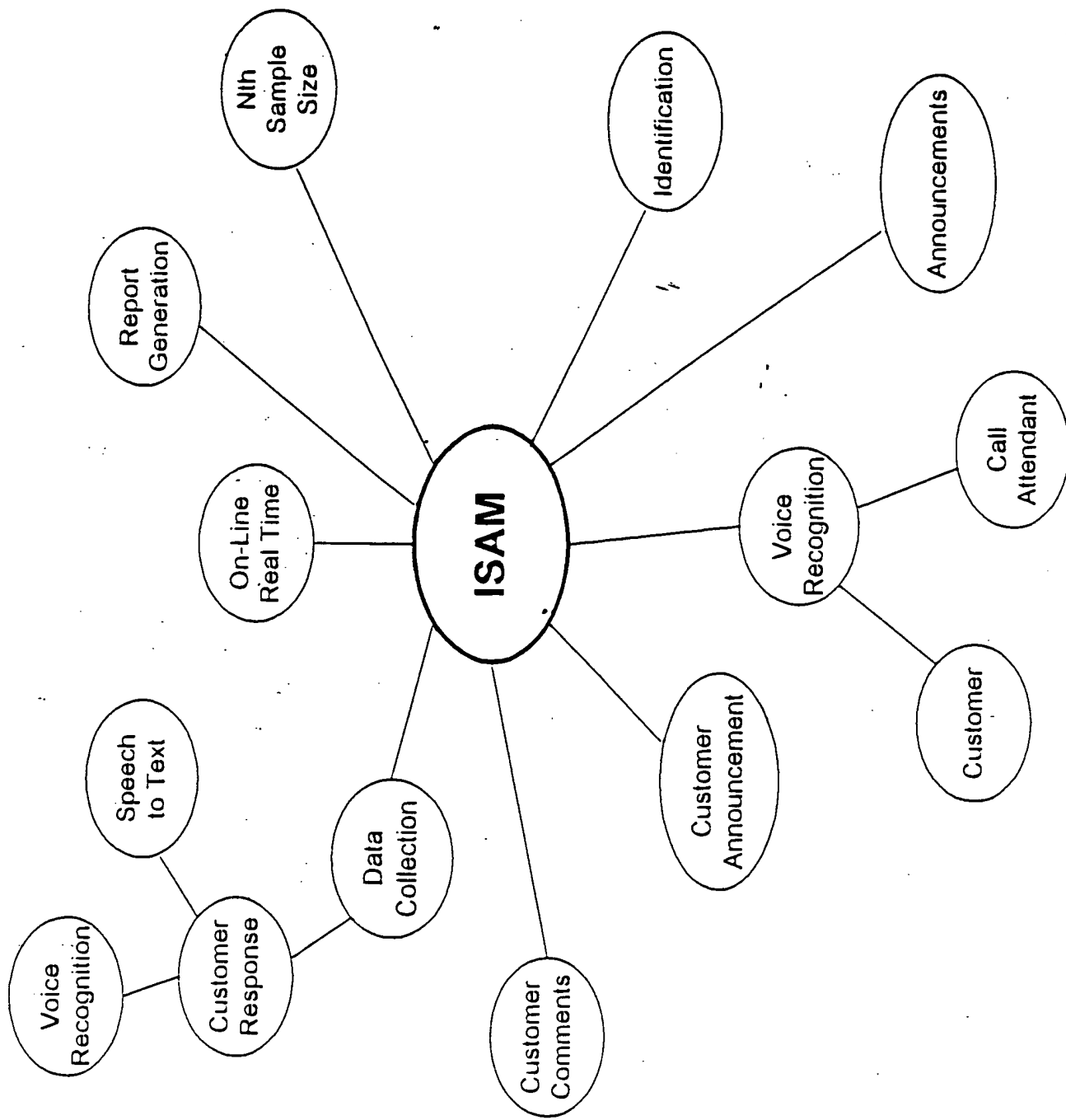
DATE	CATEGORY	DESCRIPTION
12/01/97	Technical Design	Review of ISAM technical drawing with A. McLellan.
01/01/98	Strategic Planning	ISAM 'Brain' Map - this was my technique for developing all major and supporting activities from ISAM's initial concept to market implementation. The ISAM brain map is a living document with many adds, changes and revisions. Attached.
01/01/98	Technical Design	ISAM block diagram with A. McLellan.
01/01/98	Technical Design	ISAM Advantages.
01/15/98	Market Research and Special Studies	Phase Two - Six sigma proposed study' - Prof. R. Magjuka.
02/01/98	Legal	Sample non-disclosure forms provided by Steve Lee, Don Hornback, Dr. McLellan and Scott Stuart (attorney). Signed copies in files.
03/01/98	Strategic Planning	ISAM Six Sigma goal. Attached
03/01/98	Strategic Planning	ISAM Advantage. Attached
03/01/98	Technical Design	ISAM feature requirement - with A. McLellan and Don Hornback.
03/30/98	Legal	Non-Disclosure for Don Hornback
04/01/98	Meetings & Presentations	Volt Delta software and hardware developers - Orange County, CA 4-2-98 to 4-3-98. Tape recording, minutes by Don Hornback, Non-Disclosure forms, travel documents, etc. Eight Volt Delta employees in attendance.
04/01/98	Technical Design	ISAM announcement system requirements and capacity.
04/02/98	Legal	Non-Disclosure for Volt Delta
04/02/98	Technical Design	Volt Delta DSS design. Notes from Don Hornback.
05/01/98	Meetings & Presentations	Jack Sears - VP Continental Insurance. Race Day in Suite 36 for 'Indianapolis 500'. Six sigma market potential for call centers. No specific ISAM mention but a 'market research' opportunity.
05/01/98	Strategic Planning	USADA Expense Reduction and Pricing memo for PSR, DFALT, ICAP and ISAM. ISAM is shown as intangible expense savings. Attached CA industry estimate.
05/01/98	Technical Design	ISAM data recording requirements - revised.
06/01/98	Strategic Planning	USADA Product Summary with ISAM. Attached.
06/01/98	Technical Design	ISAM report generation. Recommendation of many 'report generation' programs. SPSS, etc. meetings with S. Stuart, Don Hornback, A. Miller to review Volt Delta stat pack.
07/01/98	Market Research and Special Studies	USAA recommended as best candidate for ISAM - A. Miller & McLellan & Associates
08/01/98	Strategic Planning	Request for Price Quotation - Prof. Alden McLellan (McLellan & Associates) recommendation for ISAM RPQ. Attached.
11/01/98	Market Research and Special Studies	ISAM 'Survey questions' - ROS memo
11/01/98	Technical Design	ISAM capacity requirements. A. McLellan memo.
12/01/98	Market Research and Special Studies	ISAM study for announcement seconds. E. Feld.
12/01/98	Technical Design	ISAM announcements

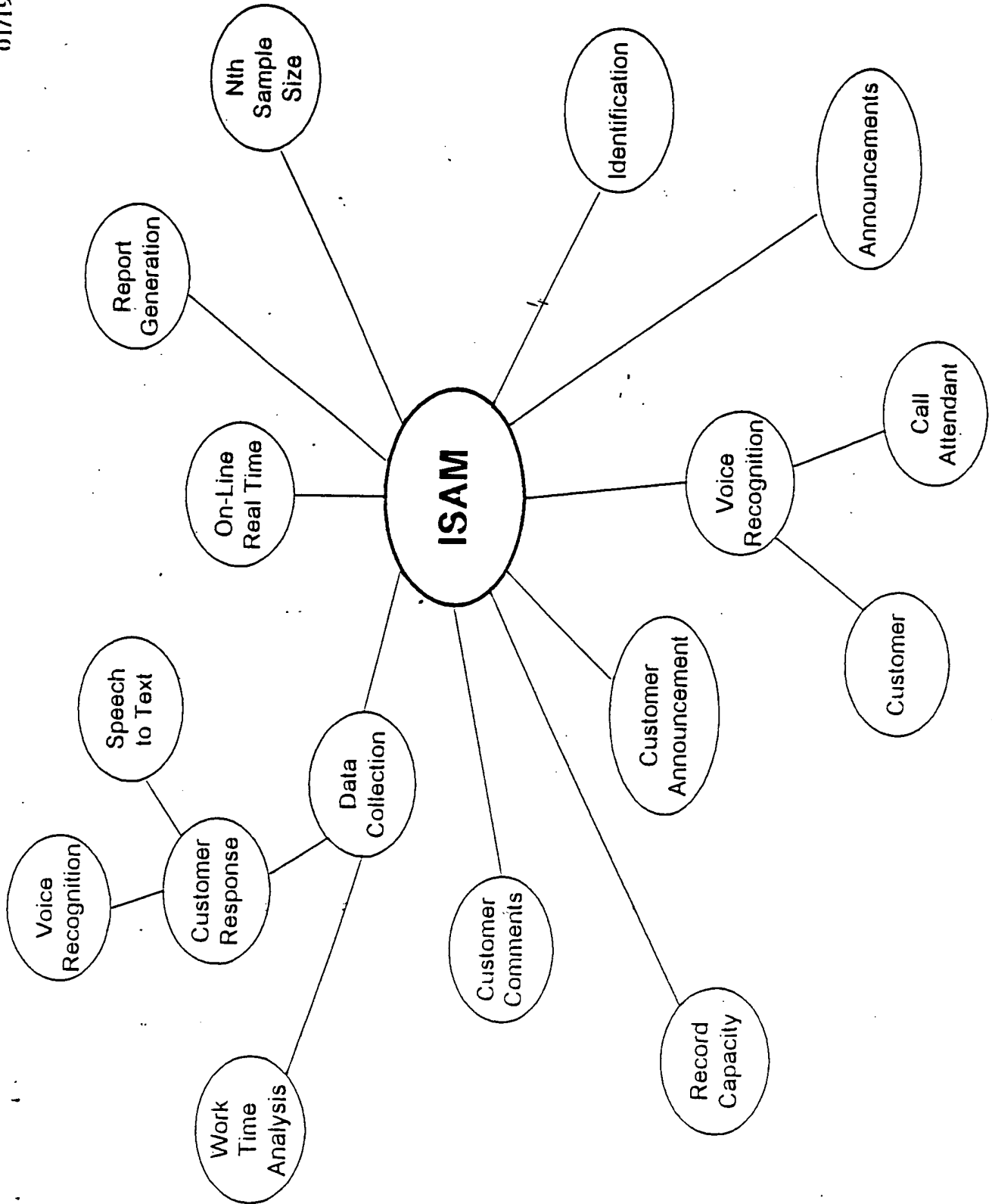
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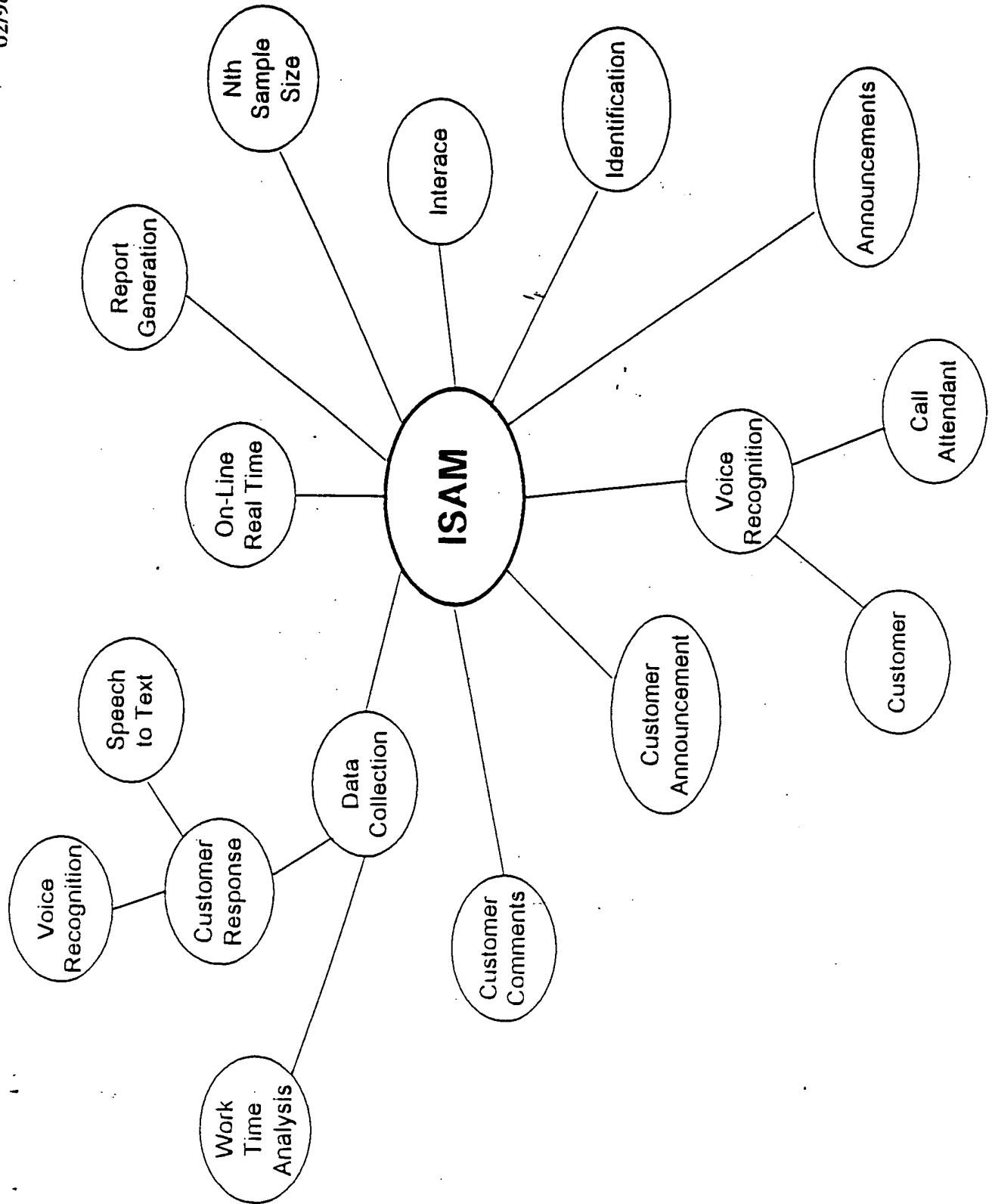
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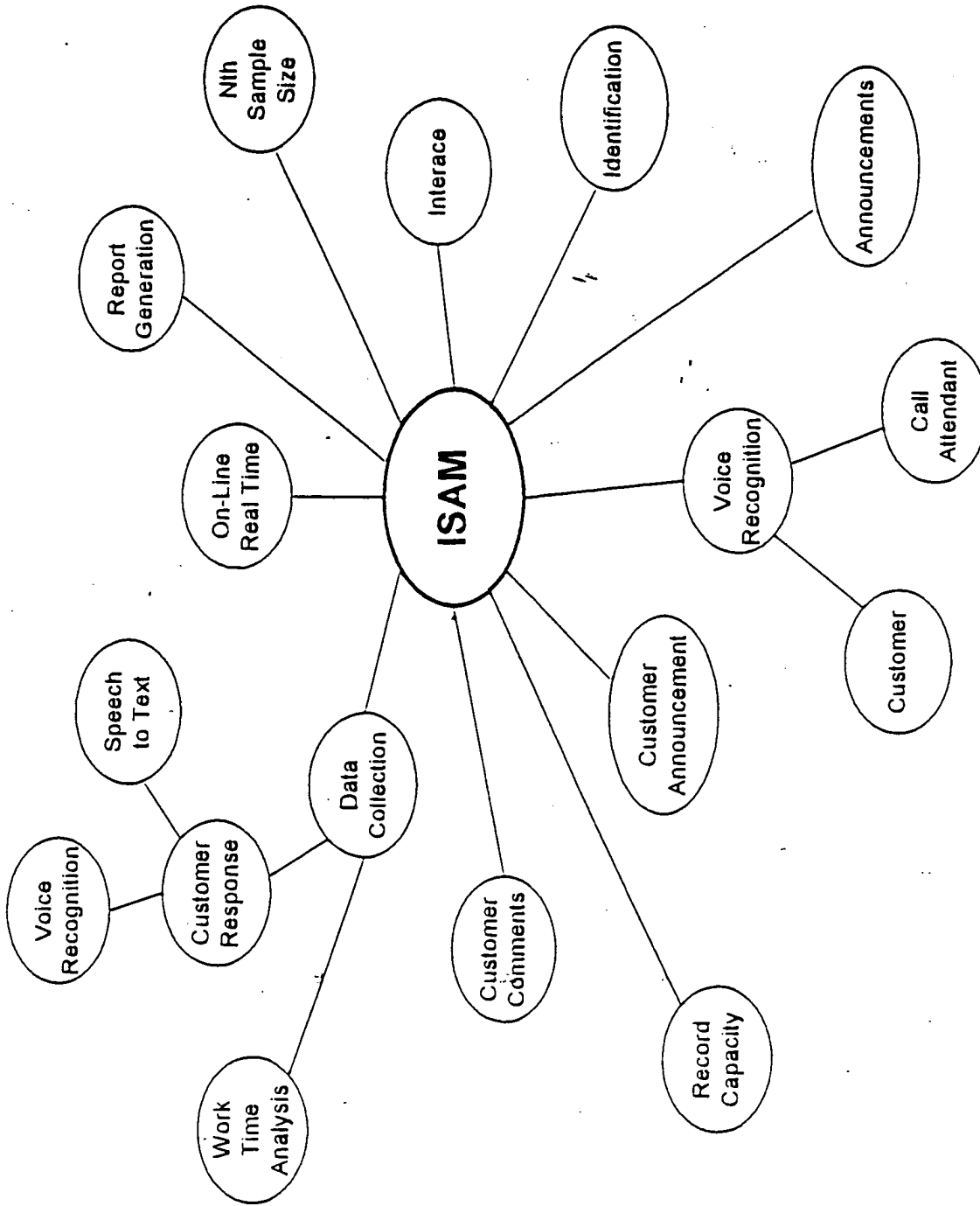
12/01/98	Technical Design	ISAM post First Office Application features.
01/13/99	Meetings & Presentations	Charles Townsend. Local investor with interest in ISAM. Non-Disclosure form signed.
03/09/99	Meetings & Presentations	John & Linda LaVine - Meeting for call center ISAM marketing opportunities. Non-Disclosure signed.
monthly/98	Meetings & Presentations	Paul Wagner - Financial advisor with monthly meetings. Paul would be glad to provide an affidavit if necessary.
dates unknown/98	Meetings & Presentations	Bill Perry - now Senior VP for CIGNA but considered a position with my company after leaving Lucent Technologies. Bill saw market need for ISAM. Several meetings in Indianapolis and many phone calls.
date unknown/98	Meetings & Presentations	Ron Beaumont - Chief Technology Officer for MCI WorldCom, Washington, D.C. headquarters.
dates unknown/98	Meetings & Presentations	Steve Johnson - SVP for MCI Worldcom Business Services. Several phone calls.
weekly/98	Meetings & Presentations	Pathway Technologies/Don Hornback - weekly and daily meetings in 1998. Shared office in 1999-2000.
dates unknown/98	Meetings & Presentations	Professor Rich Magjuka - IUPUI at Indianapolis. Frequent meetings with ROS and Gary Price.
date unknown/98	Meetings & Presentations	Nelson Thibodeaux, CEO, Universal Directory Services, Inc., Hurst, Texas. Meetings with Gary Price, Professor Magjuka and ROS at Lewis and Kappes, 1998.
date unknown/98	Meetings & Presentations	Charlie Holder - Executive with Thomson Electronics. Six sigma 'ISAM' market research opportunity.
date unknown/98	Meetings & Presentations	Dr. Donald Brown - CEO, Interactive Intelligence, for software requirements and market opportunities for ISAM 'type' products.
date unknown/98	Meetings & Presentations	Alan Schmidt, math professor with discussion on sample size vs. confidence levels for ISAM. Don Hornback introduced.
date unknown/98	Meetings & Presentations	Scott Jones, Escient CEO and founder. RPQ discussion for ISAM. Don Hornback introduced.
dates unknown/98	Technical Design	Requirements for ISAM technical interface specifications for ACD switch/server, PBX, announcement system, database retrieval system and audio response units.
dates unknown/98	Technical Design	Technical random Nth sample and confidence level. A. McLellan, Don Hornback, and math PhD. Alan Schmidt (introduced by Don Hornback)
01/98 - 12/99	Legal	McLellan & Associates monthly review of any significant ISAM related recently issued patents.
01/98 - 12/99	Legal	Research on "is customer on-line notification required for ISAM recording" for state (Indiana) or Federal. S. Stuart - date? Several discussions with no documentation in file. Also discussed with G. Price but no letter. A number of G. Price billing invoices for this period but no specific ISAM reference.
1/22/99 & 9/14/99	Meetings & Presentations	James Schmidt of International Group. ROS, A. Miller, Steve Lee, Don Hornback, Gary Price and Paul Wagner in attendance. Market evaluation for ISAM in U.S. and Europe with investment required.
1997, 1998, 1999	Meetings & Presentations	Steve Lee - weekly meetings and discussions for venture capital opportunities.
2/98, 3/98	Technical Design	Requirement for ISAM 'ACD' circuits.
5/98, 6/98	Meetings & Presentations	Presentation slides for ISAM.
5/98, 6/98	Technical Design	ISAM voice recognition system
5/98, 6/98, 7/98	Technical Design	ISAM report system.
6/98 to 6/99	Meetings & Presentations	S. Waiker, E. Feld, K. Berry - employment opportunities discussion. Meetings and phone calls.

7/8/98 - 7/13/98	Meetings & Presentations	D. Haynes & G. Gaucher meeting in Mackinaw, Michigan for strategy meeting and potential employment.
7/98 - 12/98	Market Research and Special Studies	CWA contract - ISAM analysis. A. Miller obtained copies of Ameritech and CWA Operator Services contracts. No contract language for 'monitoring' that would preclude ISAM. Calendar notes for A. Miller.
9/98 - 10/98	Market Research and Special Studies	TFDA ISAM Six Sigma defect rate for 1200 agents. A. Miller/E. Feld data analysis. Attached.
01/14/99	Meetings & Presentations	Greg Johnson, CMF -international ISAM technical advantages / India/Philippines call centers- several meetings ensued
02/05/99	Meetings & Presentations	Michael Evans, CHORUS; Greg Johnson ISAM presentation and discussion
01/98 - 12/99	Legal	McLellan & Associates monthly review of any significant ISAM related recently issued patents.
01/98 - 12/99	Legal	Research on "is customer on-line notification required for ISAM recording" for state (Indiana) or Federal. S. Stuart - date? Several discussions with no documentation in file. Also discussed with G. Price but no letter. A number of G. Price billing
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1997, 1998, 1999	Meetings & Presentations	Steve Lee - weekly meetings and discussions for venture capital opportunities.
02/01/99	Meetings & Presentations	Charlie Holder - Executive with Thomson Electronics. Six sigma 'ISAM' market research international opportunities.
01/99-03/99	Technical Design	Emilie Feld - on-going data analysis for ISAM
01/11/99	Technical Design	A. Miller - market study for FOA candidates (approx. 3 week project)
1/11/1999 - 2000	Technical Design	Daily consultation with Pathway Technologies - ongoing ISAM development (shared office space)









2-20-98

ISAM Feature Requirements

1. Interface technical specifications for –
 - ACD switch
 - PBX
 - Servers
 - OEM database retrievals systems
 - OEM 'decision tree' announcement systems
2. 'Decision Tree' announcements
3. ISAM must monitor and communicate by sending and receiving various signals, codes and data at multiple points in the call path –
 - Announcement circuits
 - Incoming trunks
 - Calls waiting in Queue
 - Agent consoles (Agent ID, Call Disposition, etc.)
 - Audio Response Unit position release circuits
 - OEM database retrieval systems for call disposition data
 - Position disconnect but ISAM circuit connected to ISAM VR unit and data record
4. ISAM supervises and controls the PSTN customer call and monitor the agent – OEM database retrieval activity
 - ISAM survey post agent or ARU response
 - ISAM initial survey request at incoming trunk

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5. ISAM Announcement System

- Capacity for 1 to 20 different announcements
- Capacity for 1 to 20 incoming trunks
- Voice Recognition or customer keyed input for Yes-No approval to participate in survey
- Announcement length from ____ seconds to ____ seconds
- Remote access for new recording changes, addition or deletion of phrases
- Random selection for specific announcements
- Screening capability for VIP ANI customers, call type, trunk type, pre-selected NPA-NNX marketing, etc.
- Time, Day and Date parameters for ISAM operation

6. ISAM Data Recording

- Customer Yes-No response of initial 'decision' tree announcement for incoming trunk
- Voice Recognition and/or keyed customer input
- Data storage for key details –
 - Customer ANI
 - Time, Date
 - Agent ID
 - Call Type
 - Customer response voice recognition/keyed
 - Customer recorded message
 - Customer connection to manager

7. ISAM Report System

- Immediate cut-through and contact with manager
- Analysis by individual Agent, manager, team, office or system
- Analysis by individual customer, class of customer, call type
- Analysis by service item (courtesy, accuracy, overall service, speed of service, etc.)
- Control collection of data for multiple system by polling or data transmission at pre-selected times or thresholds
- Polling?

DATE: July 16, 1998
TO: Bob Stuart
FROM: Annette

Bob,

In our recent staff meeting at the Grand you asked us to consider firms that we felt might be the best potential clients for ISAM. I did some research and I think one good one to perhaps approach would be USAA. Best known as a major insurance company, they are also extensively involved in financial services. USAA is a Fortune 500 company with call centers around the U.S. and Europe.

[Faint circular stamps are visible at the top left and right edges of the page.]

Post Office Box 501250
Indianapolis, IN 46250-1250

Alden McLellan IV Ph.D., P.E., M.B.A.
President

Telephone: (317) 576-9900

August 12, 1998

R. O. Stuart
USADA, Inc.
5951 Camelback Court
Indianapolis, IN 46250

Бсб,

ISAM

Sincerely,

[REDACTED]

AM:LC

McLELLAN & ASSOCIATES, Inc.

Post Office Box 501250
Indianapolis, IN 46250-1250

Alden McLellan IV Ph.D., P.E., M.B.A.
President

Telephone: (317) 576-9900

October 5, 1998

R. O. Stuart
President, USADA, Inc.
5951 Camelback Court
Indianapolis, IN 46250

Bob,

ISAM [REDACTED]
[REDACTED]

- [REDACTED] ISAM [REDACTED]
- [REDACTED]
- [REDACTED]
- [REDACTED]
- [REDACTED]
- [REDACTED]
- [REDACTED] ISAM [REDACTED]
- [REDACTED]
- ISAM [REDACTED]

[REDACTED] ISAM
[REDACTED]

Sincerely,



Alden McLellan
President

AM:lc

McLELLAN & ASSOCIATES, Inc.

Post Office Box 501250
Indianapolis, IN 46250-1250

Alden McLellan IV Ph.D., P.E., M.B.A.
President

Telephone: (317) 576-9900

December 10, 1998.

Mr. R. O. Stuart
President
USADA, Inc.
5951 Camelback Court
Indianapolis, IN 46250

Dear Bob,

ISAM

ISAM

ISAM

Sincerely,

Allen M. Lells.

Alden McLellan
President

AM: LC

ISAM ANNOUNCEMENTS

(Parameters)

SINGLE

- ISAM Greeting
- ISAM Instruction
- ISAM 'Quality' Question
- Customer Response
 - Keyed
 - Voice Recognition
- Customer Comment

MULTIPLE

- ISAM Greeting
- ISAM Instruction
- Random Selection of Question/Agent
- Customer Response
 - Keyed
 - Voice Recognition
- Customer Comment
- Remote 'Dial-Up' Recording

ISAM SIMULATION (Requirements)

Equipment

- PC as ACD Server
- POTS Incoming Calls
- IVR Software
- Random Call/Announcement
- Multiple On-Line Agents
- Announcement Script
- Random Nth Sample
- Data Collection and Storage
- Report (Agent, Team, Call Center) Generation
- Data Polling
- Customer 'Keyed' Response
- Customer Key Word 'TVR'
- Customer 'Solicited' Comment/Recording
- Yes-No Decision Tree
- Customer 'Unsolicited Key Word' Queue Comments

ISAM FEATURES (Post FOA)

Feature

- Interface with ICAP
 - Provide data for individual agent overall measurement of performance
- ISAM Intelligent Query
 - Selected survey question during high ASA quarter hours
 - Selected survey question for individual callers with high ASA
 - Selected survey questions for customers with 'regenerated' attempts
 - Selected survey question based on customer demographics
 - Selected survey question based on originating NPA-NNX
- ISAM Intelligent Report Generation
 - Correlation studies of agent performance vs. sales, customer retention
 - Correlation studies of agent productivity and customer satisfaction

USADA ISAM PRICING STRATEGY

The design, engineering, development, manufacturing, installation, marketing, training and maintenance expense and revenue for ISAM will be based on usage sensitive pricing. The call center client will easily relate value to work volume, number of agents, positions, position hours and ACD servers. The associated data is readily available and offers pricing flexibility for both fixed and variable expense.

The following tables illustrate the pricing options for a typical agent and call center. The assumptions used are 1320 position hours per agent per year, \$14/hour wage rate, percent occupancy at 90, 1.8 agents per position, 250 agents per call center with an AWT range from 30 seconds to 10 minutes.

7/13/1998

USAGE SENSITIVE ISAM RTU FEES **(Intangible Savings)**

	Percent Savings*			
	<u>1.0</u>	<u>2.5</u>	<u>5.0</u>	<u>10.0</u>
RTU Fee/Call @ 30" AWT	.0005¢	.0013	.0027	.0054
60"	.0011	.0027	.0053	.0106
2'	.0021	.0053	.0106	.0212
5'	.0053	.0132	.0263	.0526
10'	.0105	.0263	.0526	.1052
RTU Fee/Pos Hr	.0442¢	.1105	.2206	.4412
RTU Fee/A/M	\$6.33	15.75	31.58	63.17
FTU Fee/Position/M	\$11.33	28.33	56.83	113.67
Six Sigma Rev/Y/RTU Fee	18.9	47.3	94.7	189.4
Alternative (1) w/5% Productivity Increase				
RTU Fee/30" Call	.001¢	=	\$35,600	
RTU Fee/Pos Hr	.050¢	=	16,500	
RTU Fee/Agent/M	\$10.00	=	30,000	
RTU Fee/Pos/M	10.00	=	16,680	
Annual Revenue			\$98,780	
Client Savings =	\$473,500			

* Equivalent to 20% expense reduction.

Quality improvement with reduced customer turnover and increased market share

January 1998

APPENDIX 1

USADA EXPENSE REDUCTION SUMMARY

PRODUCT	Annual Expense Savings			
	TFDA	Per Position	DA INDUSTRY	Per Position
PSR Voice Recognition of intervening call attendant vs. calling customer	\$16.8 M	\$15.5 K	\$150.0 M	\$ 6.0 K
CAPS Productivity system based on statistical standards and true cost for individual call attendants	\$ 1.0 M	\$ 1.4 K	\$ 35.0 M	\$ 1.4 K
ISAM Real time customer perception measurement for individual call attendants	Intangible	-	-	-
SDHFA - free training time - percent occupancy New forcing algorithms that increases percent occupancy, converts idle seconds into free training hours and provides improved, more consistent service levels	\$ 1.1 M \$ 1.8 M	\$ 1.6 K \$ 2.7 K	\$ 40.0 M \$150.0 M	\$ 1.0 K \$ 6.0 K
OPERATIONAL EXPERIENCE ROS concepts of Force Strategy, Network Design, Management Information Systems, etc.	\$ 20.2 M	\$29.7 K	*	*
TOTAL	\$ 40.9 M	\$50.9 K	\$325.0 M **	\$14.4 K

* Internal AT&T benchmarks support a 35 percent savings vs. other AT&T large teams. Industry savings will vary depending on relative efficiency of each Directory Assistance entity.

** Does not include savings for large team operations in areas such as 800 in-bound, customer service or reservations. This market is four to five times the size of Directory Assistance. The analysis is limited to the U.S. market.

USADA Product Summary

- **DFALT**

An automatic force management system that converts idle time into productive hours with improved and consistent customer service at a lower cost.

Potential Benefits

- 5 – 15% increase in Percent Occupancy
- 40 hours per position freed for training or other productive work

- **ISAM**

Measures customer satisfaction accurately and in real time from individual agent to corporate level.

Potential Benefits

- Six Sigma level quality on call center interactions
- Real-time data on individual agent, supervisor, manager, call center or division level performance

- **ICAP**

An expert financial and productivity measurement system that tracks key performance items for all significant cost factors. Produces a true unit cost that applies for individual agents to corporate level.

Potential Benefits

- Cost reduction of \$1500 per position through improved productivity
- Reduced management time for collection and analysis of data

- **PSR**

A speech recognition system for individual agents to access databases and to control position consoles.

Potential Benefits

- Up to 50% reduction in average work time per query



INDIVIDUAL SERVICE ATTITUDE MEASUREMENT (ISAM)

The most essential and critical measurement for customer service industries, and the most difficult to obtain, is customer perception. The business as usual method of gathering data is to rely on polls, surveys and mail-out questionnaires. Each of these methods occurs well after the call has taken place, thus diminishing the value of the data. These methods fall in three vital management areas:

- Timeliness
- Accuracy
- Providing Individual Agent Information

These methods do not capture "right now" customer perceptions and management is thus hindered in acquiring timely, accurate and individual data on how well they are meeting their customers' expectations.

The issue of individual agent data can be particularly useful because studies have shown that poor service experiences can be attributed to less than 2% of the team. But management typically has no way to identify the poor performing 2%. The problems of a few customer contact employees can taint the results of the entire team.

ISAM solves this by providing real-time opportunities for customers to give feedback on their experience. At the end of the call, a recorded announcement comes on line to ask the customer to provide responses to specific questions through entries on their touchtone pad. Additionally, customers are given the opportunity to record their own message with more detailed information.

The digital responses and recorded feedback are then assembled into reports for both management and the operator. Data is now timely, focused and usable to help correct specific performance issues not only for each individual agent, but also in call center management, and can provide feedback on issues for the entire company.

ISAM will allow call centers to achieve six sigma levels of performance through reduction of defective customer interactions. And, reduce management time and costs for capturing, interpreting and using performance data.

Individual Service Attitude Measurement

Service Goal

- Six Sigma Service
 - 3.4 defects per million in calls
 - or .00034%

Individual Service Attitude Measurement

Six Sigma Service Study

- 1200 agents with 239 million annual calls
- Known call defect rate of .17%
 - 1700 defects per million calls
 - 400K plus defects per year
- Antagonistic
- Argumentative
- Customer cut off

Individual Service Attitude Measurement

Study Findings

- 95% of agents had zero defects
- 3.7% defect rate for 1% of agents
 - Equivalent to 37,000 bad calls per million
- Only 12 agents caused 22% of the service problem

Individual Service Attitude Measurement

Study Findings

- 95% of agents had zero defects
- 3.7% defect rate for 1% of agents
 - Equivalent to 37,000 bad calls per million
- Only 12 agents caused 22% of the service problem
- 99.8% Required Improvement

Individual Service Attitude Measurement (ISAM)

Why Six Sigma service?

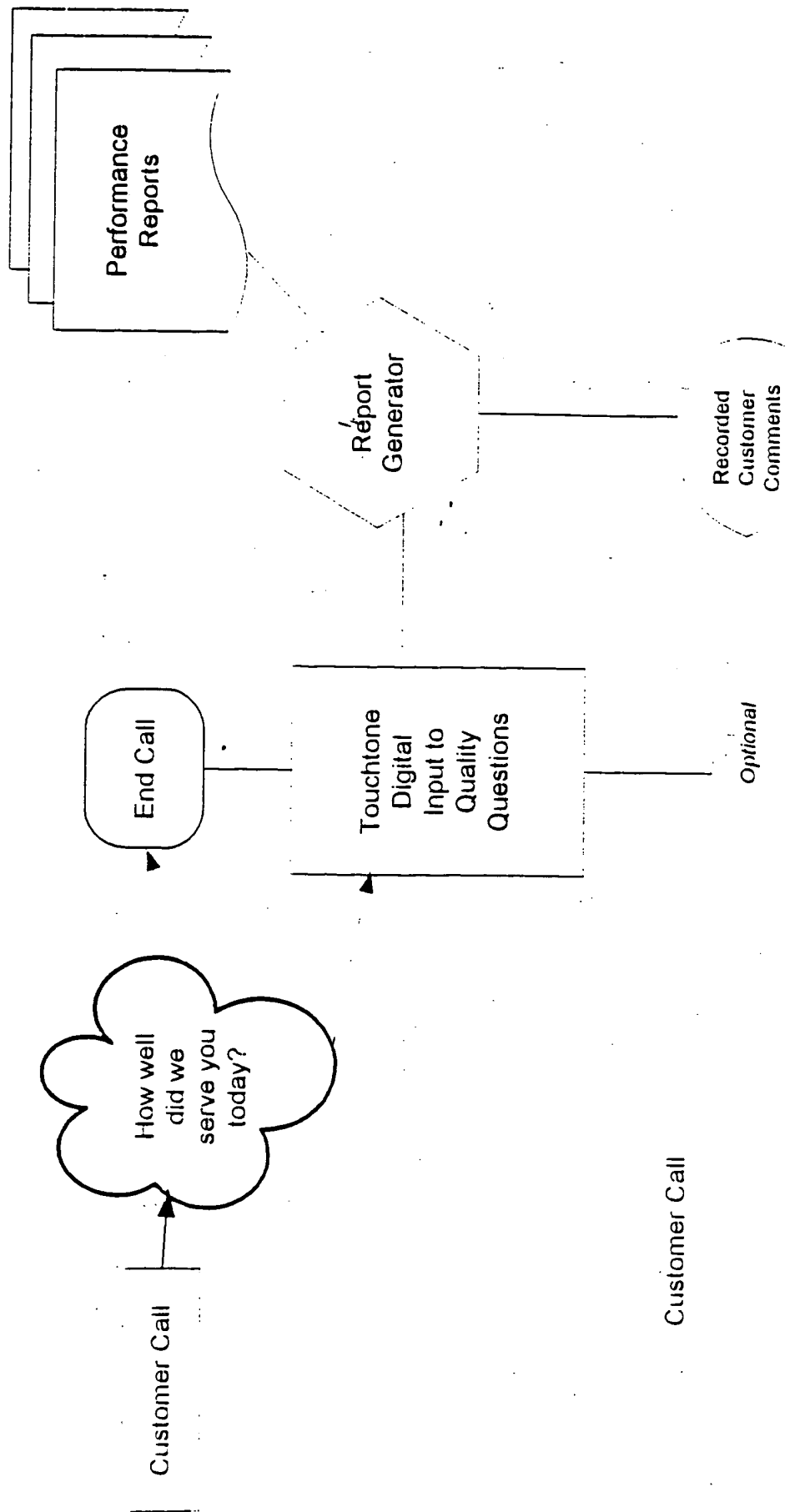
- **Poor service quality is reason most customers switch to competitor**
- **Firms with superior service grow about twice the rate as their competitors**
- **Good service lowers cost of doing business by eliminating rework**

Individual Service Attitude Measurement

Why is customer service typically poor?

- Customer perception is difficult to measure
 - Subjective
 - Delayed
 - Costly
 - Inaccurate
- No specific measurement for individual agents

INDIVIDUAL SERVICE ATTITUDE MEASUREMENT (ISAM)



Customer Call

Individual Service Attitude Measurement (ISAM)

- Announcement requests customer to rate service
- ACD server or ISAM feature
 - Selects random call
 - Tracks agent call sample
 - Selects from menu of questions
 - Identifies agent ID
 - Identifies call class, type, etc.
 - Accumulates customer response and comments
 - Generates individual, team and Center reports
- ISAM operates real time

ISAM

- Individual agents 'personal service' report card
- Accurate, real time customer perception of service, practice, products, prices, advertising, etc.
- Analysis of customer 'Queue comments'
- Reduce customer loss rate
- Eliminate 15 to 20% of management time for quality checks
- Eliminate census quality announcements
- Six sigma quality for call centers

ISAM SERVICE QUESTIONS

<u>Category</u>	<u>Example</u>	<u>Avg Seconds</u>
1) Initial	" <u>Company Name</u> is greatly interested in your evaluation of our service for this call"	
	"If you would like to participate please key 1 for <u>Yes</u> or 2 for <u>No</u> ."	
	or "If you would like to participate please say Yes or No."	
2) Agent	"Was the agent helpful?"	
	"Was your agent courteous?"	
3) Product Manager	"Did you obtain the information you wanted?"	
	"How satisfied are you with our product, price, etc.?"	
	"Did you see our ad in _____ today's _____?"	
4) Service	"Did we answer this call in a timely manner?"	
	"Were you able to reach the agent on your first attempt?"	

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4) Service	"Did we answer this call in a timely manner?"	
	"Were you able to reach the agent on your first attempt?"	
5) General	"How well did we serve you today?"	

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